

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Charles E. Palmer :
and Vicki Palmer, :
Plaintiff : Civil Action 2:12-cv-0178
v. : Judge Watson
Tri-Star Energy Holdings, Inc., *et al.*, : Magistrate Judge Abel
Defendants :
:

Order Cancelling Settlement Week Mediation

On November 29, 2012, counsel for the parties participated in a telephone conference with the Magistrate Judge and requested that the Settlement Week mediation noticed for December 13, 2012 at 1:30 p.m be cancelled. No substantial discovery has been completed. On November 27, the Court granted, in part, and denied, in part, defendants' motion to dismiss and granted plaintiffs leave to file an amended complaint re-pleading the dismissed claims. Defendants will re-file motions to dismiss. The parties will not be in a position to mediate until the renewed motions to dismiss are ruled on. The December 2012 Settlement Week mediation is CANCELLED.

Counsel are DIRECTED to call me (614-719-3370) **within 14 days of any decision denying the renewed motions to dismiss** to set up a telephone conference to establish a schedule for completing all discovery and filing summary judgment.

The Clerk of Court is DIRECTED to serve a copy of this Order on counsel and the Settlement Week Mediator Jerry Eichenberger, 6099 Franz Rd., Dublin, OH 43217.

s/Mark R. Abel
United States Magistrate Judge